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LETTER DATED 10 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose the text of the Afghan Peace Accord signed in Islamabad on 7 March 1993.

The Afghan leaders also signed a separate agreement on the "Division of Powers". This document, which forms an annex of the Accord, is also attached.

The Peace Accord was signed, after intensive consultations, between the Afghan leaders who met in Islamabad at the invitation of the Prime Minister of the Islamic Republic of Pakistan, Mr. Muhammad Nawaz Sharif.
Prince Turki al-Faisal of Saudi Arabia and Dr. Alaedin Broujerdi, the Deputy Foreign Minister of the Islamic Republic of Iran were also present during the negotiations.

It is requested that this letter along with its enclosures be circulated as a document of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent
Representative

Annex I

Afghan Peace Accord

Given our submission to the will of Allah Almighty and commitment to seeking guidance from the Holy Quran and Sunnah,

Recalling the glorious success of the epic Jehad waged by the valiant Afghan people against foreign occupation,

Desirous of ensuring that the fruits of this glorious Jehad bring peace, progress and prosperity for the Afghan people,

Having agreed to bringing armed hostilities to an end,

Recognizing the need for a broad-based Islamic Government in which all parties and groups representing all segments of Muslim Afghan society are represented so that the process of political transition can be advanced in an atmosphere of peace, harmony and stability,

Committed to the preservation of unity, sovereignty and territorial integrity of Afghanistan,

Recognizing the urgency of rehabilitation and reconstruction of Afghanistan and of facilitating the return of all Afghan refugees,

Committed to promoting peace and security in the region,

Responding to the call of Khadim Al-Harmain Al-Sharifain His Majesty King Fahd Bin Abdul Aziz to resolve the differences among Afghan brothers through a peaceful dialogue,

Appreciating the constructive role of good offices of Mr. Muhammad Nawaz Sharif, Prime Minister of the Islamic Republic of Pakistan and his sincere efforts to promote peace and conciliation in Afghanistan,

Recognizing the positive support for these efforts extended by the Governments of the Kingdom of Saudi Arabia and the Islamic Republic of Iran, who have sent their Special Envoys for the conciliation talks in Islamabad,

Having undertaken intensive intra-Afghan consultations separately and jointly to consolidate the gains of the glorious Jehad,

All the parties and groups concerned have agreed as follows:

1. To the formation of a Government for a period of 18 months in which President Burhanuddin Rabbani would remain President and Eng. Gulbadin Hikmatyar or his nominee would assume the office of Prime Minister. The powers of the President and Prime Minister and his cabinet which have been formulated through mutual consultations will form part of this Accord and is annexed;

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2. The Cabinet shall be formed by the Prime Minister in consultations with the President, and leaders of Mujahideen Parties within two weeks of the signing of this Accord;

3. The following electoral process is agreed for implementation in a period of not more than 18 months with effect from 29 December 1992:

(a) The immediate formation of an independent Election Commission by all parties with full powers;

(b) The Election Commission shall be mandated to hold elections for a Grand Constituent Assembly within eight months from the date of signature of this Accord;

(c) The duly elected Grant Constituent Assembly shall formulate a Constitution under which general elections for the President and the Parliament shall be held within the prescribed period of 18 months mentioned above.

4. A Defence Council comprising two members from each party will be set up to, inter alia,

(a) Enable the formation of a national Army;

(b) Take possession of heavy weapons from all parties and sources which may be removed from Kabul and other cities and kept out of range to ensure the security of the Capital;

(c) Ensure that all roads in Afghanistan are kept open for normal use;

(d) Ensure that State funds shall not be used to finance private armies or armed retainers;

(e) Ensure that operational control of the armed forces shall be with the Defence Council.

5. There shall be immediate and unconditional release of all Afghan detainees held by the Government and different parties during the armed hostilities.

6. All public and private buildings, residential areas and properties occupied by different armed groups during the hostilities shall be returned to their original owners. Effective steps shall be taken to facilitate the return of displaced persons to their respective homes and locations.

7. An All Party Committee shall be constituted to supervise control over the monetary system and currency regulations to keep it in conformity with existing Afghan banking laws and regulations.

8. A cease-fire shall come into force with immediate effect. After the formation of the Cabinet, there shall be permanent cessation of hostilities.

9. A Joint Commission comprising representatives of the Organization of the Islamic Conference and of all Afghan parties shall be formed to monitor the cease-fire and cessation of hostilities.

In confirmation of the above Accord, the following have affixed their signatures hereunder, on Sunday, 7 March 1993 in Islamabad, Pakistan.

(Signed)
Prof. Burhan-ud-Din Rabbani
Jamiat-e-Islami
President of the Islamic State
of Afghanistan

(Signed)
Moulvi Muhammad Nabi Muhammadi
Harkat-e-Inqilab-e-Islami

(Signed)
Pir Syed Ahmed Gaillani
Mahaz-e-Milli

Sheikh Asif Mohseni
Harkat-e-Islami

(Signed)
Engr Gulbadin Hikmatyar
Hizb-e-Islami

(Signed)
With my reservation to the
President time.
Prof. Sibghatullah Mujjadidi
Jabha-e-Nijat-e-Milli

(Signed)
With my reservation to the
President time.
Engineer Ahmed Shah
Ahmadzai Ittehad-e-Islami

(Signed)
Ayatullah Fazil
Hizb-e-Wahdat-e-Islami

Annex II

Division of Powers

Preamble

The President of the Islamic State of Afghanistan is the Head of the State and symbol of unity and solidarity of the country and shall guide the affairs of the State in accordance with Islamic laws and the principles laid down in the Holy Quran and Sunnah.

I. The Prime Minister shall form the Cabinet in consultation with the President and present the same to the President, who shall formally announce the Cabinet and take its oath. The Cabinet shall operate as a team under the leadership of the Prime Minister and shall work on the principle of collective responsibility.

II. The Prime Minister and the Cabinet shall regularly act in close consultation with the President on all important issues.

III. The President and the Prime Minister shall act in consultation with each other and shall try to resolve differences, if any, through mutual discussion. In case any issue remains unresolved, it should be decided by a reference to a joint meeting of the President and the Cabinet.

IV. All major policy decisions shall be made in the Cabinet, to be presided over by the Prime Minister. Ministers, Deputy Ministers and Ministers of State would be individually and collectively responsible for the decisions of the Government.

V. The formal appointment of the Chiefs of the Armed Forces shall be made in accordance with the existing practice and after mutual consultation.

Powers of the President

VI. The President shall have the following powers and duties:

(a) Appointment of Vice-President of the Islamic State of Afghanistan.

(b) Appointment and retirement of judges of the Supreme Court, the Chief Justices, in consultation with the Prime Minister and in accordance with the provisions of the laws.

(c) Supreme Command of the Armed Forces of the country in the light of the objectives and structure of the Armed Forces of Afghanistan.

(d) Declaring war and peace on the advice of the Cabinet or the Parliament.

(e) Convening and inaugurating the Parliament according to Rules.

(f) Consolidating national unity and upholding the independence, neutrality and the Islamic character of Afghanistan and the interests of all its citizens.

(g) Commuting and pardoning of sentences according to the Shariah and the provisions of law.

(h) Accrediting heads of Afghanistan's diplomatic missions in foreign States, appointing Afghanistan's permanent representatives to international organizations according to the normal diplomatic procedures and accepting the letters of credence of foreign diplomatic representatives.

(i) Signing laws and ordinances and granting credentials for the conclusion and signing of international treaties in accordance with the provisions of law.

(j) The President may, at his discretion, delegate any of his powers to the Vice-President, or to the Prime Minister.

(k) In the event of the death or resignation of the President, the presidential functions shall be automatically entrusted to the Vice-President, who shall deputize till the new President is elected under the Constitution.

(l) Granting formal permission to print money.

(m) The President may call an extraordinary meeting of the Cabinet on issues of vital national significance which do not fall in the routine governance of the country.

Power of the Prime Minister

VII. The Prime Minister and his Cabinet shall have the following duties and powers:

(a) Formulation and implementation of the country's domestic and foreign policies in accordance with the provisions and spirit of this Accord and the provisions of law.

(b) Administering, coordinating and supervising the affairs of the ministries, and other departments and public bodies and institutions.

(c) Rendering executive and administrative decisions in accordance with laws and supervising their implementation.

(d) Drafting of laws and formulating rules and regulations.

(e) Preparing and controlling the State budget and adopting measures to mobilize resources to reconstruct the economy and establish a viable and stable monetary, financial and fiscal system.

(f) Drafting and supervising implementation of the socio-economic and educational plans of the country with a view to establishing a self-reliant Islamic Welfare State.

(g) Protecting and promoting the objectives and interests of Afghanistan in the world community and discussing and negotiating foreign treaties, protocols, international agreements and financial arrangements.

(h) Adopting measures to ensure public order, peace, security and Islamic morality and to ensure administration of justice through an independent and impartial judiciary.

In confirmation of the above Accord, the following have affixed their signatures hereunder, on Sunday, 7 March 1993 in Islamabad, Pakistan.

(Signed)
Prof. Burhan-ud-Din Rabbani
Jamiat-e-Islami
President of the Islamic State
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